

CERTIFICATE OF ELECTRONIC FILING

I hereby certify that this correspondence is being filed electronically with the United States Patent and Trademark Office, Commissioner for Patents, via the EFS pursuant to 37 C.F.R. §1.8 on the below date:

Date: September 3, 2008 Name: Stephen C. Smith (Reg. No. 56,250) Signature: /Stephen C. Smith/

**BRINKS
HOFER
GILSON
& LIONE**

Our Case No. 10922/51 (PA-5338-RFB)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

FOSTER et al.

Serial No. 10/617,580

Filing Date: July 11, 2003

For: FLEXIBLE CANNULA

Examiner: Nguyen

Group Art Unit No. 3731

Confirmation No. 3677

REQUEST FOR CONTINUED EXAMINATION (37 CFR § 1.114)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Dear Sir:

Applicant requests continued examination under 37 CFR § 1.114.



Applicant is:

- ☐ a small entity, verified statement is:
☐ attached
☒ already filed
☒ other than small entity



The fee set forth in § 1.17(e) must be filed along with this request:

- ☐ Attached is a check for the § 1.17(h) fee.
☒ Charge the § 1.17(e) \$810 fee to Deposit Account No. 23-1925.



A submission must be filed along with this request. The following submission(s) is(are) filed herewith:

- ☒ Third Supplemental Information Disclosure Statement
☐ Petition to Withdraw From Issue Under 37 CFR § 1.313
☒ A Response with Request for Continued Examination and Interview Summary

- ☐ New Arguments and/or New Evidence in Support of Patentability
- ☐ Other: Amendment
- ☐ A petition and fee for an extension of the time is enclosed herewith.
- ☒ A check in the amount of \$810 to cover the RCE filing fee is enclosed.
- ☒ Charge any additional fee required or credit for any excess fee paid to Deposit Account No. 23-1925. A duplicate copy of this request is attached.

Respectfully submitted,

Dated: 9/3/08

/Stephen C. Smith/

Stephen C. Smith.
Registration No. 56,250
Agent for Applicants

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, IL 60610
(312) 321-4200